

Att'y Dkt. No. US-1260

U.S. App. No.: 09/466,935

IN THE CLAIMS:

Kindly rewrite the Claims as follows, in accordance with 37 C.F.R. §1.121:

1. to 15. (previously canceled)

16. (previously presented) An isolated DNA which encodes a protein which has the amino acid sequence of SEQ ID NO: 4.

17. (currently amended) An isolated DNA selected from the group consisting of~~which is defined in the following (a) or (b):~~

(a) a DNA which comprises the nucleotide sequence of nucleotide numbers 187 to 804 of SEQ ID NO:3; ~~or~~ and

(b) a DNA which hybridizes to nucleotides 187 to 804 of SEQ ID NO:3 under a stringent ~~conditions~~ condition, and encodes a protein ~~having an activity which imparts L-threonine resistance to a~~ of making a bacterium when said protein is expressed having the protein L-threonine resistant, wherein the stringent ~~conditions comprise~~ condition is a condition in which washing is performed at 60°C, and a salt concentration corresponding to 1x SSC and 0.1% SDS.

18. to 36. (previously canceled)

37. (currently amended) An isolated bacterium belonging to the genus *Escherichia*, wherein said bacterium is modified to increase an activity of a protein which imparts L-threonine resistance to said ~~makes the bacterium when said protein is expressed~~ harboring the protein L-threonine resistant in comparison to a wild-type *Escherichia* bacterium by increasing expression of a DNA coding for the said protein, and wherein the said protein comprises the amino acid sequence of SEQ ID NO: 4.

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38. (currently amended) The bacterium according to claim 37, wherein said bacterium is modified to increase ~~an~~said activity of the protein by increasing a copy number of a DNA coding for the protein.

39. (currently amended) The bacterium according to claim 37, wherein said bacterium is modified to increase ~~an~~said activity of the protein by substitution of a promoter sequence of the gene coding for the protein with a promoter sequence which functions efficiently in a bacterium belonging to the genus *Escherichia*.

40. (currently amended) The bacterium according to claim 37, wherein said bacterium is further modified to increase an activity of a protein which imparts L-homoserine resistance to makes the bacterium when said protein is expressed harboring the protein L-homoserine-resistant in comparison to a wild-type *Escherichia* bacterium by increasing expression of a DNA coding for the protein, and wherein the protein comprises the amino acid sequence of SEQ ID NO: 2.

41. (currently amended) The bacterium according to claim 37, wherein said bacterium is further modified to increase an activity of the protein which imparts L-homoserine resistance to makes the bacterium when said protein is expressed harboring the protein L-homoserine-resistant in comparison to a wild-type *Escherichia* bacterium by increasing a copy number of a DNA coding for the protein, and wherein the protein comprises the amino acid sequence of SEQ ID NO: 2.

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42. (currently amended) The bacterium according to claim 37, wherein said bacterium is further modified to increase an activity of the protein which imparts L-homoserine resistance to makes the bacterium when said protein is expressed harboring the protein L-homoserine-resistant in comparison to a wild-type *Escherichia* bacterium by substitution substituting of a promoter sequence of the gene coding for the protein with a promoter sequence which functions efficiently in a bacterium belonging to the genus *Escherichia*, and wherein the protein comprises the amino acid sequence of SEQ ID NO: 2.

43. (currently amended) An isolated bacterium belonging to the genus *Escherichia*, wherein said bacterium is modified to increase an activity of a protein which imparts L-threonine resistance to makes the bacterium in which said protein is expressed harboring the protein L-threonine-resistant in comparison to a wild-type *Escherichia* bacterium by increasing expression of a DNA coding for the protein, and wherein the protein is encoded by a DNA which is selected from the group consisting of defined in the following (a) or (b):

(a) a DNA which comprises the nucleotide sequence of nucleotide numbers 187 to 804 in SEQ ID NO: 3; ~~or~~ and

(b) a DNA which hybridizes to nucleotides 187 to 804 in SEQ ID NO: 3 under a stringent conditions condition, wherein the stringent conditions condition is a condition in which comprise washing is performed at 60°C, and at a salt concentration corresponding to 1 x SSC and 0.1% SDS.

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44. (currently amended) The bacterium according to claim 43, wherein said bacterium is modified to increase ~~an~~said activity of the protein by increasing a copy number of a DNA coding for the protein.

45. (currently amended) The bacterium according to claim 43, wherein said bacterium is modified to increase ~~an~~said activity of the protein by substitution of a promoter sequence of the gene coding for the protein with a promoter sequence which functions efficiently in a bacterium belonging to the genus *Escherichia*.

46. (currently amended) The bacterium according to claim 43, wherein said bacterium is further modified to increase an activity of a protein which imparts L-homoserine resistance to ~~makes the bacterium when said protein is expressed harboring the protein L-homoserine resistant~~ in comparison to a wild-type *Escherichia* bacterium by increasing expression of a DNA coding for the protein, and wherein the protein comprises the amino acid sequence of SEQ ID NO: 2.

47. (currently amended) The bacterium according to claim 43, wherein said bacterium is further modified to increase an activity of a protein which imparts L-homoserine resistance to ~~makes the bacterium~~ bacterium in which said protein is expressed harboring the protein L-homoserine resistant in comparison to a wild-type *Escherichia* bacterium by increasing a copy number of a DNA coding for the protein, and wherein the protein comprises the amino acid sequence of SEQ ID NO: 2.

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48. (currently amended) The bacterium according to claim 43, wherein said bacterium is further modified to increase an activity of a protein which imparts L-homoserine resistance to ~~makes the bacterium in which said protein is expressed harboring the protein~~ L-homoserine resistant in comparison to a wild-type *Escherichia* bacterium by substitution of a promoter sequence of the gene coding for the protein with a promoter sequence which functions efficiently in a bacterium belonging to the genus *Escherichia*, and wherein the protein comprises the amino acid sequence of SEQ ID NO: 2.

49. (withdrawn) A method of producing an amino acid, comprising:

cultivating the bacterium as defined in claim 37 in a culture medium to produce and accumulate the amino acid in the medium, and
recovering the amino acid from the medium.

50. (withdrawn) The method according to claim 49, wherein said amino acid is selected from the group consisting of L-homoserine, L-threonine, and branched chain amino acids.

51. (withdrawn) The method according to claim 49, wherein said amino acid is L-homoserine.

52. (withdrawn) The method according to claim 49, wherein said amino acid is L-threonine.

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53. (withdrawn) A method of producing an amino acid, comprising:

cultivating the bacterium as defined in claim 38 in a culture medium to produce
and accumulate the amino acid in the medium, and
recovering the amino acid from the medium.

54. (withdrawn) A method of producing an amino acid, comprising:

cultivating the bacterium as defined in claim 39 in a culture medium to produce
and accumulate the amino acid in the medium, and
recovering the amino acid from the medium.

55. (withdrawn) A method of producing an amino acid, comprising:

cultivating the bacterium as defined in claim 40 in a culture medium to produce
and accumulate the amino acid in the medium, and
recovering the amino acid from the medium.

56. (withdrawn) A method of producing an amino acid, comprising:

cultivating the bacterium as defined in claim 41 in a culture medium to produce
and accumulate the amino acid in the medium, and
recovering the amino acid from the medium.

57. (withdrawn) A method of producing an amino acid, comprising:

cultivating the bacterium as defined in claim 42 in a culture medium to produce
and accumulate the amino acid in the medium, and

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recovering the amino acid from the medium.

58. (withdrawn) A method of producing an amino acid, comprising:

cultivating the bacterium as defined in claim 43 in a culture medium to produce
and accumulate the amino acid in the medium, and
recovering the amino acid from the medium.

59. (withdrawn) A method of producing an amino acid, comprising:

cultivating the bacterium as defined in claim 44 in a culture medium to produce
and accumulate the amino acid in the medium, and
recovering the amino acid from the medium.

60. (withdrawn) A method of producing an amino acid, comprising:

cultivating the bacterium as defined in claim 45 in a culture medium to produce
and accumulate the amino acid in the medium, and
recovering the amino acid from the medium.

61. (withdrawn) A method of producing an amino acid, comprising:

cultivating the bacterium as defined in claim 46 in a culture medium to produce
and accumulate the amino acid in the medium, and
recovering the amino acid from the medium.

62. (withdrawn) A method of producing an amino acid, comprising:

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cultivating the bacterium as defined in claim 47 in a culture medium to produce
and accumulate the amino acid in the medium, and
recovering the amino acid from the medium.

63. (withdrawn) A method of producing an amino acid, comprising:

cultivating the bacterium as defined in claim 48 in a culture medium to produce
and accumulate the amino acid in the medium, and
recovering the amino acid from the medium.